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11 NewRez LLC d/b/a Shellpoint Mortgage Servicing*

12
13 **UNITED STATES DISTRICT COURT**
14
15 **DISTRICT OF NEVADA**

16 TRACY MITCHUSSON,

17 Plaintiff,

18 v.

19 BANK OF NEW YORK MELLON, a foreign
20 Delaware corporation; NEWREZ, LLC dba
21 SHELLPOINT MORTGAGE SERVICING, a
22 foreign limited liability company; MTC
23 FINANCIAL INC., a foreign California
24 Corporation; and DOES individuals I through X
25 and ROE Corporations I through X;

26 Defendants.

27 Case No.: 2:22-cv-01839-JCM-VCF

28 **STIPULATION AND ORDER FOR AN
EXTENSION OF TIME TO FILE REPLY
IN SUPPORT OF THE BANK OF NEW
YORK MELLON AND NEWREZ LLC
D/B/A SHELLPOINT MORTGAGE
SERVICING'S MOTION TO DISMISS
COMPLAINT [ECF No. 8]**

(FIRST REQUEST)

Defendants the Bank of New York Mellon (**BoNYM**), NewRez LLC d/b/a Shellpoint Mortgage Servicing, and plaintiff Tracy Mitchusson, by and through their respective counsel of record, hereby stipulate and agree that BoNYM and Shellpoint shall have an additional thirty-one (31) days, up to and including **January 19, 2023**, to file a reply in support of their motion to dismiss complaint [ECF No. 8]. The current deadline to file their reply is December 19, 2022.

Good cause exists to grant the requested extension. BoNYM and Shellpoint's reply deadline was reduced by seven (7) days due to an extension granted for plaintiff to file an opposition to BoNYM and Shellpoint's motion to dismiss complaint [ECF No. 16]. This extension is also requested because BoNYM and Shellpoint's counsel will be out of the office for three days due to the upcoming holidays. Finally, the parties are exploring settlement and would like to continue to do so before incurring additional fees.

1 This is the parties' first stipulation for an extension of time for BoNYM and Shellpoint to file
2 a reply in support of their motion to dismiss complaint. The extension is requested in good faith and
3 is not for purposes of delay or prejudice to any party.

4 DATED: December 15, 2022.

DATED: December 15, 2022.

5 **AKERMAN LLP**

6 /s/ Melanie D. Morgan
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12 **ORDER**

13 **IT IS SO ORDERED.**

15 
UNITED STATES DISTRICT JUDGE
Case No. 2:22-cv-01839-JCM-VCF

17 December 16, 2022

18 **DATED**